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001/010

63,298-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John P. Fitzpatrick
Serial No.: 10/823,889
Filed: 4/14/2004
Examiner: Grant, Alvin J.
Art Unit: 3723
Title: LEVERAGE HANDLE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

In response to the Notice of Abandonment dated February 24, 2005, Applicant petitions for withdrawal of the holding of abandonment.

In response to the office action dated 14 July 2004, applicant submitted its response on October 12, 2004. Two facsimile transmission statements are attached, along with a copy of the Amendment as filed.

Further, the Image File Wrapper in PAIR reflects the Amendment having been received on October 12, 2004. A copy of the Image File Wrapper for Application No. 10/823,889 is attached.

For the above reasons, the holding of abandonment should be withdrawn and the application should proceed to examination. Applicant believes that no additional fees are

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necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,




Theodore W. Olds, Reg. No. 33,080
Carlson, Gaskey & Olds
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: March 2, 2005

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on March 2, 2005.



Laura Combs